

FORTY SIXTH DAY, FEBRUARY 28, 2019

2019 REGULAR SESSION

**FORTY SIXTH DAY****MORNING SESSION**Senate Chamber, Olympia  
Thursday, February 28, 2019

The Senate was called to order at 9:05 a.m. by the Vice President Pro Tempore, Senator Conway presiding. The Secretary called the roll and announced to the Vice President Pro Tempore that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Ellie Turner, and Miss Sara Baldwin, presented the Colors. Page Mr. Benjamin Brokaw led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Troy Carr of Grace United Methodist Church, Seattle.

The Vice President Pro Tempore called upon the Secretary to read the journal of the preceding day.

**MOTIONS**

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

**REPORTS OF STANDING COMMITTEES**

February 25, 2019

**SB 5065** Prime Sponsor, Senator Hobbs: Concerning consumer competitive group insurance. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 26, 2019

**SB 5082** Prime Sponsor, Senator McCoy: Creating a committee to promote and expand social emotional learning. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5082 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Van De Wege; Rivers; Pedersen; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Mullet, Capital Budget Cabinet and Palumbo.

MINORITY recommendation: Do not pass. Signed by Senators Wagoner; Schoesler; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 26, 2019

**SB 5181** Prime Sponsor, Senator Kuderer: Concerning certain procedures upon initial detention under the involuntary treatment act. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5181 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Van De Wege; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker and Schoesler.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Bailey; Wagoner and Wilson, L..

Referred to Committee on Rules for second reading.

February 25, 2019

**SB 5236** Prime Sponsor, Senator Keiser: Encouraging apprenticeships. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5236 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Wagoner; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 26, 2019

**SB 5274** Prime Sponsor, Senator Hasegawa: Concerning dental coverage for Pacific islanders residing in Washington. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Wilson, L.; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Frockt, Vice Chair, Operating, Capital Lead; Darneille; Hunt; Keiser; Liias; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner;

Warnick; Hasegawa Rolfes, Chair.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5291 Prime Sponsor, Senator Darneille: Creating alternatives to total confinement for certain qualifying persons with minor children. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5291 be substituted therefor, and the second substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member Honeyford, Assistant Ranking Member, Capital.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Bailey; Becker; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5292 Prime Sponsor, Senator Keiser: Concerning prescription drug cost transparency. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5292 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5324 Prime Sponsor, Senator Frockt: Concerning support for students experiencing homelessness. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5324 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Warnick; Wagoner; Van De Wege; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Wilson, L. and Schoesler.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5352 Prime Sponsor, Senator Walsh: Concerning the Walla Walla watershed management pilot program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5352 be substituted therefor, and the second substitute bill do pass. Signed by Senators Warnick; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Rolfes, Chair and Wilson, L..

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5380 Prime Sponsor, Senator Cleveland: Concerning opioid use disorder treatment, prevention, and related services. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Wilson, L.; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5415 Prime Sponsor, Senator McCoy: Creating the Washington Indian health improvement act. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Wilson, L.; Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Bailey; Honeyford, Assistant Ranking Member, Capital; Braun, Ranking Member; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker Brown, Assistant Ranking Member, Operating.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5426 Prime Sponsor, Senator Mullet: Reducing greenhouse gas emissions from hydrofluorocarbons. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5426 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Van De Wege; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: Do not pass. Signed by

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Senators Wilson, L.; Wagoner; Schoesler; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital Brown, Assistant Ranking Member, Operating.

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MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member and Warnick.

SB 5596 Prime Sponsor, Senator Holy: Extending the expiration date on the health sciences and services authority sales and use tax authorization. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Bailey; Becker; Billig; Hasegawa; Liias; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Wilson, L.; Braun, Ranking Member Mullet, Capital Budget Cabinet.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5450 Prime Sponsor, Senator Rivers: Concerning superior court judges. Reported by Committee on Ways & Means

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle; Pedersen; Keiser; Hunt; Palumbo Frockt, Vice Chair, Operating, Capital Lead.

MAJORITY recommendation: Do pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Mullet, Capital Budget Cabinet; Hasegawa; Palumbo; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Wilson, L.; Rolfes, Chair; Hunt Frockt, Vice Chair, Operating, Capital Lead.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5605 Prime Sponsor, Senator Nguyen: Concerning misdemeanor marijuana offense convictions. Reported by Committee on Ways & Means

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Liias and Keiser.

MAJORITY recommendation: Do pass. Signed by Senators Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Rolfes, Chair; Pedersen and Van De Wege.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5458 Prime Sponsor, Senator Hobbs: Expanding access to building trades apprenticeships. Reported by Committee on Ways & Means

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Schoesler; Wilson, L.; Rivers; Becker; Bailey Brown, Assistant Ranking Member, Operating.

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Warnick; Wagoner; Van De Wege; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead and Wilson, L..

MINORITY recommendation: Do not pass. Signed by Senators Warnick; Wagoner Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5656 Prime Sponsor, Senator Frockt: Concerning public works contracting procedures. Reported by Committee on Ways & Means

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L.; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

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SB 5492 Prime Sponsor, Senator Billig: Sentencing of motor vehicle-related felonies. Reported by Committee on Ways & Means

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5665 Prime Sponsor, Senator Wilson, C.: Concerning the creation of a youth development work group within the department of children, youth, and families. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Conway; Carlyle; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L.; Mullet,

Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Frockt, Vice Chair, Operating, Capital Lead Rolfes, Chair.

Referred to Committee on Rules for second reading.

February 27, 2019

SB 5848 Prime Sponsor, Senator Darneille: Concerning individuals under the department of corrections' jurisdiction. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Van De Wege; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Billig; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: Do not pass. Signed by Senators Warnick; Wagoner; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member and Wilson, L..

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

February 26, 2019

SB 5851 Prime Sponsor, Senator Frockt: Enhancing educational opportunities for vulnerable children and youth using funding distributed from the Puget Sound taxpayer accountability account. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5851 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick; Van De Wege; Schoesler; Rivers; Palumbo; Liias; Keiser; Hunt; Hasegawa; Darneille; Wagoner; Conway; Billig; Becker; Bailey; Honeyford, Assistant Ranking Member, Capital; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Frockt, Vice Chair, Operating, Capital Lead; Rolfes, Chair; Carlyle and Wilson, L..

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5894 Prime Sponsor, Senator Braun: Clarifying that the firefighters' pension levy may continue to be levied to fund benefits under the law enforcement officers' and firefighters' retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5894 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, L.; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Bailey; Becker; Billig; Carlyle; Hasegawa; Hunt; Keiser; Liias; Palumbo; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick; Mullet, Capital Budget Cabinet Frockt, Vice Chair, Operating, Capital Lead.

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5898 Prime Sponsor, Senator Rolfes: Concerning the surcharge for local homeless housing and assistance. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5898 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Capital Budget Cabinet; Warnick; Wagoner; Van De Wege; Schoesler; Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Carlyle; Billig; Becker; Bailey; Brown, Assistant Ranking Member, Operating; Braun, Ranking Member; Frockt, Vice Chair, Operating, Capital Lead and Wilson, L..

Referred to Committee on Rules for second reading.

February 25, 2019

SB 5920 Prime Sponsor, Senator Conway: Concerning firefighters and law enforcement officers pension and disability boards. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rivers; Pedersen; Palumbo; Liias; Keiser; Hunt; Hasegawa; Carlyle; Billig; Bailey; Braun, Ranking Member; Mullet, Capital Budget Cabinet; Van De Wege Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Wilson, L.; Warnick; Wagoner; Schoesler and Becker.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9003 JOE M. TORTORELLI, appointed on July 1, 2014, for the term ending June 30, 2020, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9019 HESTER SEREBRIN, appointed on December 29, 2015, for the term ending June 30, 2021, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Zeiger; Wilson, C.; Takko; Randall; Nguyen; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair Hobbs, Chair.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban and Padden.

Referred to Committee on Rules for second reading.

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SGA 9023 SHIV BATRA, appointed on January 12, 2016, for the term ending June 30, 2019, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9041 DEBORAH C. YOUNG, reappointed on July 1, 2016, for the term ending June 30, 2022, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Takko; Randall; Padden; O'Ban; Nguyen; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9090 JERALD (JERRY) R. LITT, reappointed on July 12, 2017, for the term ending June 30, 2023, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9136 JOHN C. SCRAGG, appointed on January 19, 2018, for the term ending December 26, 2020, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9138 MICHAEL L. ANTHONY, appointed on January 19, 2018, for the term ending December 26, 2019, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Takko; Randall; Padden;

O'Ban; Nguyen; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9194 JAMES A. RESTUCCI, appointed on July 16, 2018, for the term ending June 30, 2024, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Takko; Randall; Padden; O'Ban; Nguyen; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9261 HENRIK KROMBEEN, appointed on January 1, 2019, for the term ending December 26, 2020, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9265 TIMOTHY J. FARRELL, appointed on January 1, 2019, for the term ending December 26, 2020, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Takko; Randall; Padden; O'Ban; Nguyen; Lovelett; Fortunato; Das; Cleveland; Sheldon, Assistant Ranking Member; King, Ranking Member; Saldaña, Vice Chair; Hobbs, Chair; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2019

SGA 9275 ELEANOR K. KIRTLEY, reappointed on February 6, 2019, for the term ending December 26, 2022, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

## MOTIONS

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Liias, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR  
GUBERNATORIAL APPOINTMENTS

February 19, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

LISA BROWN, appointed February 11, 2019, for the term ending at the governor's pleasure, as a Director of the Department of Commerce - Agency Head.

Sincerely,  
JAY INSLEE, Governor

Referred to Committee on Financial Institutions, Economic Development & Trade as Senate Gubernatorial Appointment No. 9279.

February 19, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

GLADYS T. GILLIS, appointed February 19, 2019, for the term ending September 30, 2024, as Member of the Central Washington University Board of Trustees.

Sincerely,  
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9280.

February 19, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MARISSA WINMILL, reappointed February 19, 2019, for the term ending September 30, 2021, as Member of the Professional Educator Standards Board.

Sincerely,  
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9281.

## MOTIONS

On motion of Senator Liias, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

On motion of Senator Liias, the Senate advanced to the eighth order of business.

## MOTION

Senator Saldaña moved adoption of the following resolution:

## SENATE RESOLUTION

8623

By Senators Saldaña, Conway, Kuderer, Lovelett, Liias, Dhingra, Das, Pedersen, Wellman, Nguyen, Keiser, Billig, Palumbo, Salomon, Randall, Hobbs, Sheldon, Hasegawa, Hunt, Zeiger, Warnick, Darneille, McCoy, Wilson, C., and Wagoner

WHEREAS, Black History Month was established in February 1926 by Carter G. Woodson as Negro History Week and was later expanded to Afro-American History Month in 1976 in honor of the nation's bicentennial; and

WHEREAS, It was Carter G. Woodson's hope that, through this special observance, all Americans would be reminded of their ethnic roots and develop a mutual respect for the contributions of all racial groups in America; and

WHEREAS, For more than 300 years as part of an established system of slavery and human bondage, Black Americans toiled and survived, and then overcame the degradation and shame of this system to become contributors at every level of our public and private endeavors; and

WHEREAS, The desire to succeed and contribute to America caused Black Americans to defy racial hostility, Jim Crow Laws, and economic and social injustices; and

WHEREAS, This willingness to succeed and the love for their country has left a positive impact on American culture and society in areas of education, medicine, industry, the military, religion, social sciences, philosophy, agriculture, engineering, and the arts; and

WHEREAS, Black Americans continue to contribute widely to the attainment of peace, equality, and justice, and all Americans deserve to know of the great moments and accomplishments of Black Americans; and

WHEREAS, We honor the accomplishments of the first African American President of the United States, Barack Obama, and the legacy that he and his wife, Michelle Obama, will leave for us all; and

WHEREAS, George Washington Bush was the first Black American to serve in the Washington Territorial Legislature; Representatives Charles Stokes and Marjorie Pitter King were the first Black American man and woman to serve in the legislature following the proclamation of Washington statehood; and Charles Z. Smith was the first Black American to serve on the Washington State Supreme Court; and

WHEREAS, The Washington State Legislature is honored to have among its current and former members the following elected Black American Representatives and Senators: Rosa Franklin, Kristine Reeves, Debra Entenman, John Lovick, Eric Pettigrew, Melanie Morgan, Sam Smith, Michael Ross, Peggie Joan Maxie, George Fleming, Bill Smitherman, Jesse Wineberry, Vivian Caver, and Dawn Mason; and

WHEREAS, There have been major contributions made to Washington State history by Black American citizens including: Civil rights leader Edwin T. Pratt; poet Mona Lake Jones; artists Jacob Lawrence and James Washington; historian Esther Mumford; and musicians Quincy Jones, Ernestine Anderson, and Jimi Hendrix; and

WHEREAS, Washington is a beautiful state, and America is a proud nation due to our recognition of the contributions made by many diverse ethnic populations and because of our ability to work together as a state dependent upon international peace, harmony, and cooperation;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and honor the African American citizens of this great country and their innumerable

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contributions, and support the observance of the month of February as African American history month.

Senators Saldaña, Short, King, Randall, Sheldon, Walsh, Liias and Nguyen spoke in favor of adoption of the resolution.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8623.

The motion by Senator Saldaña carried and the resolution was adopted by voice vote.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

MOTION

At 9:30 a.m., on motion of Senator Liias, the Senate was declared to be at ease for the purposes of caucus.

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The Senate was called to order at 11:18 a.m. by Vice President Pro Tempore Conway.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5955, by Senators Lovelett, Zeiger, Darneille, Walsh, Randall, Nguyen, Wilson and C.

Making necessary changes allowing the department of children, youth, and families to effectively manage a statewide system of care for children, youth, and families.

MOTIONS

On motion of Senator Lovelett, Substitute Senate Bill No. 5955 was substituted for Senate Bill No. 5955 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Lovelett, the rules were suspended, Substitute Senate Bill No. 5955 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Walsh spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5955.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5955 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers,

Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE SENATE BILL NO. 5955, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Lovelett: "Thank you. So, as you all know I came late in the game and in a hot rush. I would say I'm probably the unexpected senator to arrive but, I have been serving my community in my area for years. I started out as a record store owner with a business called The Business in Anacortes that's been around for forty one years now. And in that role, I met people in the community. I heard about their needs. It seems like an unlikely place to have people come as a clearinghouse for information but it was. My first step into service was in the humble beginnings of being my P.T.A. president when my daughter first entered kindergarten. So, my kids have been raised in this lifetime of service. They will never remember a time before their mom was a public servant and when I finally decided to run for the city council in Anacortes we flipped our board. I ran against a two-term incumbent, our mayor ran against a twenty-year incumbent, and we flipped it and ushered in a new era of leadership in Anacortes and I'm very proud of that. I'm from a scrappy little fishing town that my family has lived in since the late eighteen hundreds and over my lifetime I've managed to travel to every corner of the 40<sup>th</sup> District. From the rich arts and intellect of the people of Bellingham, to the gorgeous tulip fields and hardworking people of Western Skagit County and to the majesty of the San Juan Islands. Where I'm sure a lot of you have traveled and visited and appreciated the beauty there. One of my favorite things about the 40<sup>th</sup> is the culture and the esthetic we have around do it yourself culture and ideals. You know, we the we in the 40<sup>th</sup>, we work from home and create unique employment opportunities for ourselves or crafters, we're boot-strappers or D.I.Y.ers and we know that resources are finite and so many of us choose to live off the land and live on less so that others can have more. So my gift for you today is a testament to all of these places and the ideals that we have in the 40<sup>th</sup>. When you get them I ask you take a look first at the art on the envelopes. My daughters were very keen on making sure that there were personalized decorations on every one, so make sure you take a look at not only yours but your neighbors. They're nine and eleven. Yma and Mirabel, and they're very proud. And as I said, you know a life of service in their family is all they've ever known. And we're taking forward those values our community but as we all know our families and loved ones have to make sacrifices for us to stand here on the floor every day that we're here and I just want to take a moment to honor our families, our spouses, our loved ones, our children for the sacrifices that they make for us to serve. So, in the envelope is a heart stone. It's handmade by this Guemes Island artist named Julie deRouche and they are up-cycled using broken glass and porcelain. Things that most of us would take as being broken relics relegated to the trash bin, but she's transformed into something truly beautiful. And what I wanted to speak to with that is that we all come here with the unique story of what compelled us to serve. We come with our hearts open to witnessing both the small moments and the hugely transformative ones that showcase our common humanity and compel us into the work we do. We come with our hearts open to doing our best

work, only to have it torn down and have our motives questioned. And we come here with our hearts open to those triumphant times where we passed legislation that creates meaningful measurable progress for the communities we serve. Today, I'm very excited to have a conversation on this floor about the clean renewable energy bill, I know that something that my district really wanted me to come and fight for. So, these stones are a testament to these ideas that our hearts may break for the good and for the bad but that we can always put those pieces back together and create something beautiful and lasting. Thank you."

PERSONAL PRIVILEGE

Senator Walsh: "Thank you Mr. President for your indulgence. I am, I feel terribly remiss that we didn't hazy the good lady for her first bill. So, I apologize for that, but welcome aboard. We're glad to have you and thank you very much Mr. Speaker, or, Mr. President."

PERSONAL PRIVILEGE

Senator Becker: "I can't help but think of you and how much information you just covered in that speech. Holy moly. I, it reminded me of Senator Fain sitting here, who could talk faster than anybody I've ever seen, along with Lieutenant Governor and how they would go so quickly you almost have to pay so much attention to try to hear everything they were talking about. I hope that you continue that so that we don't sit here for hours as we people talk of odd things on the floor. Thank you very much."

PERSONAL PRIVILEGE

Senator Rolfe: "I wanted to turn and give a warm welcome to Senator Lovelett. On behalf of myself, I'm delighted to have you here. Your district has long had a reputation for sending senators to Olympia who are dynamic and energetic and engaged. And, I have all enjoyed working with you already and I admire you the strength that you have brought with you and the grace with which you have taken on this job. So quickly, and so suddenly and unexpectedly for you and your daughters. And I'm very moved by your commitment and your ability to just fit right in, I think impresses most of us. So, welcome to the Senate and I really look forward to working with you."

PERSONAL PRIVILEGE

Senator Bailey: "I do want to thank you for being willing to serve. The 10<sup>th</sup> and the 40<sup>th</sup> have a great relationship and I'm really looking forward to you and I having an opportunity to work together on many things that will help our part of the state. So, thank you for being here tell your girls that we also appreciate very much them letting their mom come here. Thank you"

PERSONAL PRIVILEGE

Senator Hobbs: "Seriously? We're not going to burn Senator Lovelett? I mean, that's the whole point of these things. I don't get it. We just, I mean, I had the record of the worst gift, but geez. She gives you a rock and a picture of more rocks and you give her a round of applause? I don't get it. I could take a picture some gravel and just digitally send it to all of you if that's what it takes around here. I don't understand. She just passed a bill that really doesn't do ... it's a technical bill, but I guess that's the tradition of all of our freshman. You know, just technical bills. And the greatest legislative accomplishment that she's got, or is going to happen, is a San Juan license plate.

Which I reluctantly pushed out because leadership told me I got to 'take care of the freshman'. So, you know, I did that. I don't get around applause for that? And of course, you know I, and by the way I did in a bipartisan manner sent out a Sasquatch plate for Senator Rivers because that's what she wanted. And hopefully she will bother me year after year after year after year. But I just want to welcome the new senator to this chamber. It's a delight to have you on my committee. It's another way for Senator Billig to control me and to try to get bills out of there. But I'm going to just kill things I don't like anyway. But again, welcome, I'm glad you're on the committee. We do need a person that takes a perspective of the ferries and you definitely do that, so thank you very much."

PERSONAL PRIVILEGE

Senator Hawkins: "Thank you Mr. President. Yeah, that's a tough act to follow, I'll tell you. And I'm not one to throw rocks as you know, these are pretty tough so I'll hold on to these. I would just like to thank the kind lady's comments, you know, I too, she has you know two daughters age nine eleven. I have two boys the same age, nine eleven. Her two daughters, from what I learned today, and what they're accustomed to is knowing their mother as a public servant and that's the same situation for me and my two boys. And I think just some of the things I learned from her floor speech today just help illustrate that we do have more in common than our differences so, look forward to serving with you thank you."

PERSONAL PRIVILEGE

Senator Sheldon: "Thank you Mr. President. I happen to agree with Senator Walsh and Senator Hobbs, it's really tradition here to say a little something about our new member and we have so many new members I thought I might just take this opportunity Mr. President, to tell you a little story, if I might, from my personal experience. I got a call from Senator Lovelett here the other day and she said she wanted to meet me in my office. And I thought, well that was great so, and she said she'd like to bring some of the other members. She mentioned Senator Wilson over here Senator Claire Wilson, Senator Randall, Senator Salomon, Senator Nguyen and Senator Das. They'd all like to visit with me. Well, I thought that's important so I went home and you know, thought about a little bit I found an old Mao jacket I had in the closet. I got that on and I scraped some stickers off my wife's car to bring in and put around the office. I had I had one of the *Feel the Bern*, I had *Pro-Choice America* on there, *Protect our children not our guns* I did that for Senator Pedersen, he gave me that. And also, I put a little incense in my room, I had that burning, I felt, I felt pretty good. I think I was ready. I put some Bob Dylan on. I put 'the times there are they are a changin' and I had it I had my subscription to Mother Jones that I was reading that when they all five, six I think, six came in. I was excited and they said 'Well, Senator Sheldon', I said 'Just call me Tim, sit down and call me Tim'. 'You're the longest serving Democratic senator and we just came over to get some advice you know we've been in caucus for you know about six weeks now' and I said 'It's is the food, isn't it?' and they said 'Yes, it's the food. The arugula', I don't even know if I can pronounce it right. 'The kale. It's getting tough you know we know you served in there a long time what did you do?' Well, you know there's a lot of things you can do. You do have six members so do you have a name for your caucus yet? And they said no. I said 'Well you might suggest S.D.R.C. And that would stand for Senate Democratic Rookie Caucus. Excellent name for yourselves. You need a name if you're going to make an impact.' So, they

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sat down for a little bit and they sat on the floor. We all kind of got together, got another, turned up another Bob Dylan song and we started talking about other things and they said well you know I said ‘You know the food was tough but the aroma therapy really was tough on me.’ I’m still kind of coughing and Senator Lovelett kept grabbing at her nose like that like she really had enough aroma therapy. So I don’t want to go on too long but you know they were asking about different things and, and, all five are members of Senator Hobbs’ and Senator King’s Transportation Committee and they all sit together. I thought that was interesting. So, and then Senator Salomon said ‘I’m not on the committee.’ he says ‘I really don’t know, I’m on six committees.’ I think something like that so, he said that he had he had passed by Senator Billig’s office. Hadn’t been in it yet, and I said well that’s pretty nice. You know if you go in there it has its own bathroom, it and and that’s where the Lieutenant Governor used to be. And they said well, Lieutenant Governor, he’s got a whole floor now doesn’t he? He just doesn’t have an office? And I said, ‘Yeah that’s correct, that’s correct, So they talked a little bit about some of the members and then they said Senator Billig, he has that nice a red Ford Focus doesn’t he? I said ‘Yeah I’ve seen the car.’ We see him. He drives down underneath the Capitol steps. We don’t know where, where does he go down there? And I said well that’s where he gets all the pens from the Governor. He’s passed so many bills, he has the time that he goes down and the Governor comes in and hands out pills. I mean pens, not pills. Excuse me. So, then the last thing they want to know, that that nice Senator Liias, that stands up. He makes these motions. We go to like the first, second or third order of business, the fifth order of business, the eighth order of business. And then they said, I think it was Senator Lovelett that said, ‘Senator, why don’t we ever go to the ninth order of business?’ I said ‘Well, now you’re talking’ so that’s when we really started to hold hands and started to talk. And I explained a little bit about the ninth order of business and then I kind of blacked out. I don’t remember what happened after that. So, that’s my personal experience with all six new members. Thank you Mr. President.”

SECOND READING

SENATE BILL NO. 5292, by Senators Keiser, Cleveland, Randall, Hasegawa, Das, Saldaña, Wilson, C., Liias, Conway, Kuderer, Nguyen, Van De Wege and Wellman

Concerning prescription drug cost transparency.

MOTIONS

On motion of Senator Liias, Second Substitute Senate Bill No. 5292 was substituted for Senate Bill No. 5292 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Keiser, the rules were suspended, Second Substitute Senate Bill No. 5292 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, Rivers, Cleveland and O’Ban spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5292.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5292 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SECOND SUBSTITUTE SENATE BILL NO. 5292, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

President Pro Tempore Keiser assumed the chair.

SECOND READING

SENATE BILL NO. 5116, by Senators Carlyle, Palumbo, McCoy, Pedersen, Wellman, Das, Rolfes, Frockt, Wilson, C., Kuderer, Nguyen, Keiser, Liias, Hunt, Saldaña, Darneille and Billig

Supporting Washington’s clean energy economy and transitioning to a clean, affordable, and reliable energy future.

MOTIONS

On motion of Senator Carlyle, Second Substitute Senate Bill No. 5116 was substituted for Senate Bill No. 5116 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Ericksen moved that the following amendment no. 096 by Senator Ericksen, pursuant to Senate Rule No. 64, be read in full and that it be adopted:

Beginning on page 1, line 9, strike all of section 1 and insert the following:

“NEW SECTION. **Sec. 1.** The legislature finds that historical data proves that the climate of the earth changes. The legislature further finds that the national oceanic and atmospheric administration has documented that nothing in this act, or any combination of legislation in Washington, will in any way impact global climate. The legislature acknowledges that nothing in this act will increase or decrease snowpack in the Cascades, stop wildfires, lower or raise sea levels, save polar bears, impact ocean acidity levels, affect wine grapes in eastern Washington, or impact global climate in any measurable way. The legislature understands that this act will increase energy prices, drive manufacturing jobs to other states, and have a disproportionate impact on middle class citizens, lower income citizens, and senior citizens. Therefore, the legislature recognizes that this act is about virtue signaling and not about changing world climate.”

Senator Ericksen spoke in favor of adoption of the amendment.

POINT OF ORDER

Senator Billig: “Thank you Madam President. I believe the

gentleman was impugning motives related to this bill by talking about candidates you referenced a statewide candidate but then he said generally candidates I believe he was referring to people in this body and I know that that is a violation of our rules.”

President Pro Tempore Keiser: “Senator Erikson please keep your remarks to the amendment before us.”

Senator Ericksen continued his remarks.  
Senator Carlyle spoke against adoption of the amendment.

#### MOTION

On motion of Senator Wilson, C., Senator Nguyen was excused.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 096 by Senator Ericksen on page 1, line 9 to Second Substitute Senate Bill No. 5116.

The motion by Senator Ericksen did not carry and amendment no. 096 was not adopted by voice vote.

#### MOTION

Senator Hawkins moved that the following amendment no. 085 by Senators Hawkins and Palumbo be adopted:

On page 2, line 17, after “continuing to” strike “electrify” and insert “encourage and provide incentives for clean alternative energy sources, including providing electricity for”

On page 5, line 38, after “vehicles” insert “, both battery and fuel cell powered”

On page 5, line 40, after “vehicles;” strike “and”

On page 6, line 1, after “fleets” insert “utilizing a battery or fuel cell for electric supply;

(E) Incentives to install and operate equipment to produce or distribute renewable hydrogen; and

(F) Incentives for renewable hydrogen fueling stations”

On page 6, beginning on line 3, after “(iv)” strike all material through “consumption” on line 5 and insert “Investments in equipment for renewable natural gas processing, conditioning, and production, or equipment used solely for the purpose of delivering renewable natural gas for consumption”

On page 6, beginning on line 11, after “needs” strike all material through “biogas” on line 12 and insert “, including battery and fuel cell electrification; or (E) renewable natural gas processing, conditioning, or production”

On page 6, line 15, after “and” strike “biogas” and insert “renewable natural gas”

On page 8, line 12, after “(33)” insert ““Renewable hydrogen” means hydrogen produced using renewable resources both as the source for the hydrogen and the source for the energy input into the production process.

(34)”

Re-number the remaining subsections consecutively and correct any internal references accordingly.

On page 8, line 17, after “(f)” insert “renewable hydrogen; (g)”

Re-letter the remaining subsections consecutively and correct any internal references accordingly.

On page 12, line 5, after “electricity” insert “, or for energy transformation projects in the transportation sector, consistent with default emissions or conversion factors established by other jurisdictions for clean alternative fuels”

Senators Hawkins and Carlyle spoke in favor of adoption of the

amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 085 by Senators Hawkins and Palumbo on page 2, line 17 to Second Substitute Senate Bill No. 5116.

The motion by Senator Hawkins carried and amendment no. 085 was adopted by voice vote.

#### MOTION

Senator Short moved that the following amendment no. 094 by Senator Short be adopted:

On page 3, after line 6, insert the following:

“NEW SECTION. **Sec. 2.** It is unlawful to generate or supply electricity from an electric generation resource built with or containing materials sourced from countries with a history of violations of employment-related laws and incidents of slavery, peonage, or human trafficking.”

Re-number the remaining sections consecutively and correct any internal references accordingly.

Senator Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 094 by Senator Short on page 3, after line 6 to Second Substitute Senate Bill No. 5116.

The motion by Senator Short did not carry and amendment no. 094 was not adopted by voice vote.

#### MOTION

Senator Short moved that the following amendment no. 102 by Senator Short be adopted:

On page 3, after line 6, insert the following:

“(7) The legislature intends to make adjustments to this act if Washington falls out of the top five ranking among states for lowest average cost of electricity, as documented by the energy information administration, at any time between 2019 and 2045.”

Senators Short and Ericksen spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 102 by Senator Short on page 3, after line 6 to Second Substitute Senate Bill No. 5116.

The motion by Senator Short did not carry and amendment no. 102 was not adopted by voice vote.

#### MOTION

Senator Fortunato moved that the following amendment no. 108 by Senator Fortunato be adopted:

On page 3, line 28, after “crops;” strike “and”

On page 3, line 28, after “yard waste” insert “; and (x) municipal solid waste”

On page 3, line 31, before “(ii)” insert “or”

On page 3, line 32, after “forests” strike all material through “waste”

On page 34, line 34, after “copper-chrome-arsenic;” insert “or”

On page 34, line 35, after “forests” strike “; or municipal solid waste” and insert “(=~~or municipal solid waste~~)”

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Senators Fortunato, Rivers and Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 108 by Senator Fortunato on page 3, line 28 to Second Substitute Senate Bill No. 5116.

The motion by Senator Fortunato did not carry and amendment no. 108 was not adopted by voice vote.

#### MOTION

Senator Brown moved that the following amendment no. 095 by Senator Brown be adopted:

On page 7, line 21, after “generation.” insert ““Nonemitting electric generation” includes nuclear energy.”

Senators Brown and Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 095 by Senator Brown on page 7, line 21 to Second Substitute Senate Bill No. 5116.

The motion by Senator Brown did not carry and amendment no. 095 was not adopted by voice vote.

#### MOTION

Senator Fortunato moved that the following amendment no. 107 by Senator Fortunato be adopted:

Beginning on page 10, line 36, after “subsection” strike all material through “standards” on page 11, line 2

On page 16, beginning on line 28, after “(8)” strike all material through “(9)” on line 33

Re number the remaining subsection consecutively and correct any internal references accordingly.

Senators Fortunato and Ericksen spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 107 by Senator Fortunato on page 10, line 36 to Second Substitute Senate Bill No. 5116.

The motion by Senator Fortunato did not carry and amendment no. 107 was not adopted by voice vote.

#### MOTION

Senator Takko moved that the following amendment no. 092 by Senator Takko be adopted:

On page 11, line 6, after “(d)” insert “(i)”

On page 11, after line 10, insert the following:

“(ii) It is the intent of the legislature to provide flexible tools to address the variability of hydropower for compliance under this act.”

Senators Takko and Carlyle spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 092 by Senator

Takko on page 11, line 6 to Second Substitute Senate Bill No. 5116.

The motion by Senator Takko carried and amendment no. 092 was adopted by voice vote.

#### MOTION

Senator Fortunato moved that the following amendment no. 105 by Senator Fortunato be adopted:

On page 11, beginning on line 11, strike all of subsections (e) and (f)

Reletter the remaining subsections consecutively and correct any internal references accordingly.

On page 16, beginning on line 8, strike all of subsection (6)

Re number the remaining subsections consecutively and correct any internal references accordingly.

Senators Fortunato, Ericksen and Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 105 by Senator Fortunato on page 11, line 11 to Second Substitute Senate Bill No. 5116.

The motion by Senator Fortunato did not carry and amendment no. 105 was not adopted by voice vote.

#### MOTION

Senator Ericksen moved that the following amendment no. 097 by Senator Ericksen be adopted:

On page 18, at the beginning of line 26, insert “or rate”

On page 18, line 29, after “reliability” insert “or rate”

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 097 by Senator Ericksen on page 18, line 26 to Second Substitute Senate Bill No. 5116.

The motion by Senator Ericksen did not carry and amendment no. 097 was not adopted by voice vote.

#### MOTION

Senator Carlyle moved that the following amendment no. 089 by Senator Carlyle be adopted:

On page 22, line 35, after “exceed a” strike “three” and insert “two”

On page 23, line 16, after “exceed a” strike “three” and insert “two”

Senators Carlyle and Ericksen spoke in favor of adoption of the amendment.

Senator King spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 089 by Senator Carlyle on page 22, line 35 to Second Substitute Senate Bill No. 5116.

The motion by Senator Carlyle carried and amendment no. 089 was adopted by voice vote.

## MOTION

Senator Carlyle moved that the following amendment no. 090 by Senator Carlyle be adopted:

On page 24, after line 20, insert the following:  
 “(17) For an asset acquired or used to comply with this act that is condemned by a consumer-owned utility, compensation must include the stranded cost, if applicable, and the greater of the:  
 (a) Book value of the asset; or  
 (b) Fair market value of that asset, which may include replacement value.”

Senators Carlyle and Sheldon spoke in favor of adoption of the amendment.

Senators Padden and Ericksen spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 090 by Senator Carlyle on page 24, after line 20 to Second Substitute Senate Bill No. 5116.

The motion by Senator Carlyle carried and amendment no. 090 was adopted by voice vote.

## MOTION

Senator Ericksen moved that the following amendment no. 098 by Senator Ericksen be adopted:

On page 24, after line 29, insert the following:

“**NEW SECTION. Sec. 10.** The department must contract with an independent third-party consultant to review and report on the cost impact to ratepayers attributable to this act for the previous year for each electric utility serving customers in the state of Washington. Each electric utility must display the annual cost impact to its ratepayers reported by the independent consultant on customer billing statements.”

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senators Ericksen and Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 098 by Senator Ericksen on page 24, after line 29 to Second Substitute Senate Bill No. 5116.

The motion by Senator Ericksen did not carry and amendment no. 098 was not adopted by voice vote.

## MOTION

Senator Ericksen moved that the following amendment no. 099 by Senator Ericksen be adopted:

On page 27, after line 5, insert the following:

“(8) No actions by an electric utility to fund an energy assistance program may result in increased costs to other retail electric customers.”

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 099 by Senator Ericksen on page 27, after line 5 to Second Substitute Senate Bill

No. 5116.

The motion by Senator Ericksen did not carry and amendment no. 099 was not adopted by voice vote.

## MOTION

Senator Fortunato moved that the following amendment no. 106 by Senator Fortunato be adopted:

Beginning on page 29, line 37, strike all of subsection (3)  
 Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 31, beginning on line 13, strike all of section 15  
 Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 4 of the title, after “adding” strike “new sections” and insert “a new section”

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 106 by Senator Fortunato on page 29, line 37 to Second Substitute Senate Bill No. 5116.

The motion by Senator Fortunato did not carry and amendment no. 106 was not adopted by voice vote.

## MOTION

Senator Braun moved that the following amendment no. 109 by Senator Braun be adopted:

Beginning on page 32, line 1, strike all of sections 17 through 19 and insert the following:

“**NEW SECTION. Sec. 17.** This section is the tax preference performance statement for the tax preferences contained in sections 18 and 19, chapter . . ., Laws of 2019 (sections 18 and 19 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(1) The legislature categorizes this tax preference as one intended to induce certain designated behavior by taxpayers, as indicated in RCW 82.32.808(2)(a).

(2) It is the legislature’s specific public policy objective to reduce the amount of carbon dioxide emissions in Washington. It is the legislature’s intent to extend the expiration date of the existing sales and use tax exemption for machinery and equipment used directly in generating certain types of alternative energy, in order to reduce the price charged to customers for that machinery and equipment, thereby inducing some customers to buy machinery and equipment for alternative energy when they might not otherwise, thereby displacing electricity from fossil-fueled generating resources, thereby reducing the amount of carbon dioxide emissions in Washington.

(3) The joint legislative audit and review committee is not required to perform a tax preference review under chapter 43.136 RCW for the tax preferences contained in sections 18 and 19, chapter . . ., Laws of 2019 (sections 18 and 19 of this act) and it is the intent of the legislature to allow the tax preferences to expire upon their scheduled expiration dates.

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**Sec. 18.** RCW 82.08.962 and 2018 c 164 s 5 are each amended to read as follows:

(1)(a) (~~Except as provided in RCW 82.08.963,)~~ Purchasers who have paid the tax imposed by RCW 82.08.020 on machinery and equipment used directly in generating electricity using fuel cells, wind, sun, biomass energy, tidal or wave energy, geothermal resources, or technology that converts otherwise lost energy from exhaust, as the principal source of power, or to sales of or charges made for labor and services rendered in respect to installing such machinery and equipment, are eligible for an exemption as provided in this section, but only if the purchaser develops with such machinery, equipment, and labor a facility capable of generating not less than one thousand watts of electricity.

(b) Beginning on July 1, 2011, through January 1, ~~((2020))~~ 2030, the amount of the exemption under this subsection (1) is equal to seventy-five percent of the state and local sales tax paid. The purchaser is eligible for an exemption under this subsection (1)(b) in the form of a remittance.

(2) For purposes of this section and RCW 82.12.962, the following definitions apply:

(a) "Biomass energy" includes: (i) By-products of pulping and wood manufacturing process; (ii) animal waste; (iii) solid organic fuels from wood; (iv) forest or field residues; (v) wooden demolition or construction debris; (vi) food waste; (vii) liquors derived from algae and other sources; (viii) dedicated energy crops; (ix) biosolids; and (x) yard waste. "Biomass energy" does not include wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic; wood from old growth forests; or municipal solid waste.

(b) "Fuel cell" means an electrochemical reaction that generates electricity by combining atoms of hydrogen and oxygen in the presence of a catalyst.

(c)(i) "Machinery and equipment" means fixtures, devices, and support facilities that are integral and necessary to the generation of electricity using fuel cells, wind, sun, biomass energy, tidal or wave energy, geothermal resources, or technology that converts otherwise lost energy from exhaust.

(ii) "Machinery and equipment" does not include: (A) Hand-powered tools; (B) property with a useful life of less than one year; (C) repair parts required to restore machinery and equipment to normal working order; (D) replacement parts that do not increase productivity, improve efficiency, or extend the useful life of machinery and equipment; (E) buildings; or (F) building fixtures that are not integral and necessary to the generation of electricity that are permanently affixed to and become a physical part of a building.

(3)(a) Machinery and equipment is "used directly" in generating electricity by wind energy, solar energy, biomass energy, tidal or wave energy, geothermal resources, or technology that converts otherwise lost energy from exhaust if it provides any part of the process that captures the energy of the wind, sun, biomass energy, tidal or wave energy, geothermal resources, or technology that converts otherwise lost energy from exhaust, converts that energy to electricity, and stores, transforms, or transmits that electricity for entry into or operation in parallel with electric transmission and distribution systems.

(b) Machinery and equipment is "used directly" in generating electricity by fuel cells if it provides any part of the process that captures the energy of the fuel, converts that energy to electricity, and stores, transforms, or transmits that electricity for entry into or operation in parallel with electric transmission and distribution systems.

(4)(a) A purchaser claiming an exemption in the form of a remittance under subsection (1)(b) of this section must pay the tax imposed by RCW 82.08.020 and all applicable local sales taxes imposed under the authority of chapters 82.14 and 81.104 RCW. The purchaser may then apply to the department for remittance in a form and manner prescribed by the department. A purchaser may not apply for a remittance under this section more frequently than once per quarter. The purchaser must specify the amount of exempted tax claimed and the qualifying purchases for which the exemption is claimed. The purchaser must retain, in adequate detail, records to enable the department to determine whether the purchaser is entitled to an exemption under this section, including: Invoices; proof of tax paid; and documents describing the machinery and equipment.

(b) The department must determine eligibility under this section based on the information provided by the purchaser, which is subject to audit verification by the department. The department must on a quarterly basis remit exempted amounts to qualifying purchasers who submitted applications during the previous quarter.

(5) The exemption provided by this section expires September 30, 2017, as it applies to: (a) Machinery and equipment that is used directly in the generation of electricity using solar energy and capable of generating no more than five hundred kilowatts of electricity; or (b) sales of or charges made for labor and services rendered in respect to installing such machinery and equipment.

(6) This section expires January 1, ~~((2020))~~ 2030.

**Sec. 19.** RCW 82.12.962 and 2018 c 164 s 7 are each amended to read as follows:

(1)(a) (~~Except as provided in RCW 82.12.963,)~~ Consumers who have paid the tax imposed by RCW 82.12.020 on machinery and equipment used directly in generating electricity using fuel cells, wind, sun, biomass energy, tidal or wave energy, geothermal resources, or technology that converts otherwise lost energy from exhaust, or to sales of or charges made for labor and services rendered in respect to installing such machinery and equipment, are eligible for an exemption as provided in this section, but only if the purchaser develops with such machinery, equipment, and labor a facility capable of generating not less than one thousand watts of electricity.

(b) Beginning on July 1, 2011, through January 1, ~~((2020))~~ 2030, the amount of the exemption under this subsection (1) is equal to seventy-five percent of the state and local sales tax paid. The consumer is eligible for an exemption under this subsection (1)(b) in the form of a remittance.

(2)(a) A person claiming an exemption in the form of a remittance under subsection (1)(b) of this section must pay the tax imposed by RCW 82.12.020 and all applicable local use taxes imposed under the authority of chapters 82.14 and 81.104 RCW. The consumer may then apply to the department for remittance in a form and manner prescribed by the department. A consumer may not apply for a remittance under this section more frequently than once per quarter. The consumer must specify the amount of exempted tax claimed and the qualifying purchases or acquisitions for which the exemption is claimed. The consumer must retain, in adequate detail, records to enable the department to determine whether the consumer is entitled to an exemption under this section, including: Invoices; proof of tax paid; and documents describing the machinery and equipment.

(b) The department must determine eligibility under this section based on the information provided by the consumer, which is subject to audit verification by the department. The department must on a quarterly basis remit exempted amounts to qualifying consumers who submitted applications during the previous quarter.

(3) Purchases exempt under RCW 82.08.962 are also exempt from the tax imposed under RCW 82.12.020.

(4) The definitions in RCW 82.08.962 apply to this section.

(5) The exemption provided in subsection (1) of this section does not apply:

(a) To machinery and equipment used directly in the generation of electricity using solar energy and capable of generating no more than five hundred kilowatts of electricity, or to sales of or charges made for labor and services rendered in respect to installing such machinery and equipment, when first use within this state of such machinery and equipment, or labor and services, occurs after September 30, 2017; and

(b) To any other machinery and equipment described in subsection (1)(a) of this section, or to sales of or charges made for labor and services rendered in respect to installing such machinery or equipment, when first use within this state of such machinery and equipment, or labor and services, occurs after December 31, ~~((2019))~~ 2029.

(6) This section expires January 1, ~~((2020))~~ 2030.”

Senators Braun and Ericksen spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 109 by Senator Braun on page 32, line 1 to Second Substitute Senate Bill No. 5116.

The motion by Senator Braun did not carry and amendment no. 109 was not adopted by voice vote.

#### MOTION

Senator Rivers moved that the following amendment no. 111 by Senator Rivers be adopted:

On page 43, line 27, after “19.280.030.” insert “To promote environmental justice, it is unlawful to construct new electricity transmission infrastructure within the boundaries of any highly impacted community designated under this section.”

Senators Rivers, Short and Ericksen spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 111 by Senator Rivers on page 43, line 27 to Second Substitute Senate Bill No. 5116.

The motion by Senator Rivers did not carry and amendment no. 111 was not adopted by voice vote.

#### MOTION

Senator Rivers moved that the following amendment no. 112 by Senator Rivers be adopted:

On page 43, line 27, after “19.280.030.” insert “The rules establishing the requirements for incorporating the cumulative impact analysis must require the department of commerce and utilities and transportation commission to suspend enforcement of chapter 19.--- RCW (the new chapter created in section 27 of this act) if any community identified as being highly impacted by fossil fuel pollution and climate change in the cumulative impact analysis is subjected to an increase in electric rates as a result of the application of chapter 19.--- RCW (the new chapter created in section 27 of this act) to a utility serving a highly impacted community.”

Senators Rivers and Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

Senator Short demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Rivers on page 43, line 27, to Second Substitute Senate Bill No. 5116.

#### ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Rivers and the amendment was not adopted by the following vote: Yeas, 24; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hasegawa, Hawkins, Holy, Honeyford, King, O’Ban, Padden, Randall, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Rolfes, Saldaña, Salomon, Takko, Van De Wege and Wellman .

#### MOTION

Senator Short moved that the following amendment no. 093 by Senator Short be adopted:

On page 44, after line 34, insert the following:

“NEW SECTION. **Sec. 26.** No permit may be issued that would result in the elimination of nonemitting electric generation or a renewable resource unless and until an equivalent amount of nonemitting electric generation or renewable resources are available to replace the nonemitting electric generation or renewable resource that is being eliminated.”

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senator Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 093 by Senator Short on page 44, after line 34 to Second Substitute Senate Bill No. 5116.

The motion by Senator Short did not carry and amendment no. 093 was not adopted by voice vote.

#### MOTION

Senator Short moved that the following amendment no. 103 by Senator Short be adopted:

On page 53, after line 22, insert the following:

“NEW SECTION. **Sec. 30.** A new section is added to chapter 34.05 RCW to read as follows:

(1) The department of ecology shall not enforce chapter 173-442 WAC.

(2) The department of ecology shall repeal: (a) Chapter 173-442 WAC; and (b) the associated amendments to chapter 173-441

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WAC that were adopted for the purpose of aligning chapters 173-441 and 173-442 WAC.

(3) The repeal of rules authorized and required by subsection (2) of this section is not subject to judicial review under this chapter.”

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 5 of the title, after “80.28 RCW;” insert “adding a new section to chapter 34.05 RCW;”

Senator Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 103 by Senator Short on page 53, after line 22 to Second Substitute Senate Bill No. 5116.

The motion by Senator Short did not carry and amendment no. 103 was not adopted by voice vote.

#### MOTION

Senator Short moved that the following amendment no. 104 by Senator Short be adopted:

On page 53, after line 22, insert the following:

“**NEW SECTION. Sec. 30.** The following acts or parts of acts are each repealed, effective January 1, 2020:

(1)RCW 19.285.010 (Intent) and 2007 c 1 s 1;

(2)RCW 19.285.020 (Declaration of policy) and 2007 c 1 s 2;

(3)RCW 19.285.030 (Definitions) and 2017 c 315 s 1 & 2014 c 45 s 1;

(4)RCW 19.285.040 (Energy conservation and renewable energy targets) and 2017 c 315 s 2, 2014 c 26 s 1, 2013 c 158 s 2, 2012 c 22 s 3, & 2007 c 1 s 4;

(5)RCW 19.285.045 (Energy conservation and renewable energy targets—Analysis and advisory opinion) and 2012 c 254 s 1;

(6)RCW 19.285.050 (Resource costs) and 2007 c 1 s 5;

(7)RCW 19.285.060 (Accountability and enforcement—Energy independence act special account) and 2015 c 225 s 22 & 2007 c 1 s 6;

(8)RCW 19.285.070 (Reporting and public disclosure) and 2007 c 1 s 7;

(9)RCW 19.285.080 (Rule making) and 2017 c 315 s 3 & 2007 c 1 s 8;

(10)RCW 19.285.900 (Construction—2007 c 1) and 2007 c 1 s 9; and

(11)RCW 19.285.902 (Short title—2007 c 1) and 2007 c 1 s 11.”

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 6 of the title, after “sections;” insert “repealing RCW 19.285.010, 19.285.020, 19.285.030, 19.285.040, 19.285.045, 19.285.050, 19.285.060, 19.285.070, 19.285.080, 19.285.900, and 19.285.902;”

Senator Short spoke in favor of adoption of the amendment.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 104 by Senator Short on page 53, after line 22 to Second Substitute Senate Bill No. 5116.

The motion by Senator Short did not carry and amendment no.

104 was not adopted by voice vote.

#### MOTION

Senator Ericksen moved that the following amendment no. 101 by Senator Ericksen be adopted:

On page 53, beginning on line 27, strike all of section 31 and insert the following:

“**NEW SECTION. Sec. 31.** The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation.”

On page 1, at the beginning of line 7 of the title, strike “declaring an emergency” and insert “providing for submission of this act to a vote of the people”

Senator Ericksen spoke in favor of adoption of the amendment.

Senator Ericksen demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Carlyle spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Ericksen on page 53, line 27, to Second Substitute Senate Bill No. 5116.

#### ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Ericksen and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O’Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C. .

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Ericksen and without objection, amendment no. 100 by Senator Ericksen on page 53, line 27 to Second Substitute Senate Bill No. 5116 was withdrawn.

#### MOTION

Senator Ericksen moved that the following striking amendment no. 088 by Senator Ericksen be adopted:

Strike everything after the enacting clause and insert the following:

“**NEW SECTION. Sec. 32.** A new section is added to chapter 19.29A RCW to read as follows:

The legislature finds that Washington is capable of achieving an eighty percent nonemitting electric generation standard in the near future. It is the policy of the state that the aggregate fuel mix

for electric utilities in Washington must not include more than twenty percent fossil fuel generation resources by 2025. The standard established under this section is a statewide aggregate standard based on fuel mix information provided to the department. The eighty percent standard must not be determined on a utility-by-utility basis. For the purposes of this section, "fossil fuel" generation resource means coal, natural gas, or petroleum."

On page 1, line 2 of the title, after "future;" strike the remainder of the title and insert "and adding a new section to chapter 19.29A RCW."

Senators Ericksen and Short spoke in favor of adoption of the striking amendment.

Senator Ericksen demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Carlyle spoke against adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment by Senator Ericksen to Second Substitute Senate Bill No. 5116.

#### ROLL CALL

The Secretary called the roll on the adoption of the striking amendment by Senator Ericksen and the striking amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C. .

#### MOTION

Senator Carlyle moved that the rules be suspended and Engrossed Second Substitute Senate Bill No. 5116 be advanced to third reading, the second reading considered the third and the bill be placed on final passage.

Senator Short objected to the motion by Senator Carlyle to suspend the rules and advance the bill to third reading and final passage.

#### MOTION

On motion of Senator Liias, further consideration of Second Substitute Senate Bill No. 5116 was deferred and the bill held its place on the second reading calendar.

#### SECOND READING

SENATE BILL NO. 5954, by Senator Rolfes

Concerning the bump-fire stock buy-back program.

#### MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5954 was substituted for Senate Bill No. 5954 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 5954 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Braun spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5954.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5954 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE SENATE BILL NO. 5954, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Liias announced that the fiscal committees, previously scheduled for 1:30 p.m., would be meeting at 2:00 o'clock p.m.

#### MOTION

At 1:35 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o'clock a.m. Friday, March 1, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

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9136 Scragg, John C.  
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9194 Restucci, James A.  
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9265 Farrell, Timothy J.  
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